

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Municipal Administration & Urban Development – Tirupathi Municipal Corporation – Sanction of the minimum time scale i.e., (Basic + DA) to Sri C.Mohan, NMR / Badili worker in Tirupathi Municipal Corporation, as per the orders of the Hon'ble High Court in W.P.M.P.No.14250/2009 in W.P.No.6299/2004 – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (D2) DEPARTMENT

G.O.Rt.No.1147

Dated: 29.08.2012

Read the following:

1. The Hon'ble High Court of A.P., Hyderabad, Interim Order, Dated:11.09.2009 in W.P.M.P.No.14250/2009 in W.P.No.6299/2004.
2. From the Commissioner & Director of Municipal Administration, Hyderabad Letter Roc.No.11184/2004/M3, Dated:18.01.2011, 23.02.2012, 20.07.2012 & 27.08.2012.
3. G.O.Rt.No.125, M.A. & U.D. (D2) Department, Dated:28.01.2012.
4. Orders of the Hon'ble High Court of A.P., in C.C.No.1399/2011, Dated:24.02.2012 & 06.07.2012.
5. From the Commissioner & Director of Municipal Administration, Hyderabad, D.O.Letter Roc.No.11184/2004/M3, Dated:24.07.2012 & 27.07.2012.

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O R D E R:

In the reference 2nd read above, the Commissioner & Director of Municipal Administration, has reported that, Sri C.Mohan, was employed as Badili worker on daily wage basis in Tirupathi Municipal Corporation, during the period from 02.06.1979 to 13.07.1997 with break in service. As per the instructions issued in Govt.Memo.No.27394/B1/95-1, M.A.& U.D. Department, Dated:20.09.2005, his engagement was dispensed with orally. Aggrieved of the termination orders, Sri C.Mohan, has filed I.D.No.26/2000, before the Industrial Tribunal-cum-Labour Court, Ananthapur and the Tribunal in its Award, Dated:21.04.2003 has declared the oral termination as illegal and directed the respondent to reinstate the claimant into service with continuity of service but only with 25% of the back wages from the date of termination till the date of his reinstatement. He was, therefore, reinstated into service vide Proceedings, Dated:11.02.2004. Subsequently, his services were again dispensed with on 25.02.2004, on the ground that there is no work in the Municipality. The Hon'ble High Court in its Interim Order, Dated:08.04.2004 in WPMP.No.8177/2004 in W.P.No.6266/2004 has suspended the termination orders Dated:25.02.2004. He was, therefore, continued in service. Subsequently, the Hon'ble High Court in its Interim Orders, Dated:11.09.2009 in WP.MP.No.14250/2009 in WP.No.6299/2004, filed by Sri C.Mohan, NMR / Badili Worker in Tirupathi Municipal Corporation, has directed to pay the petitioner the minimum time scale applicable to regular class IV employees in the service of the third respondent Municipality, with effect from 1st June, 2009, pending disposal of this Writ Petition. The Commissioner & Director of Municipal Administration, has requested the Government, to issue necessary orders, to avoid further legal complications, in the matter.

2. Government, after careful examination of the matter, decided to permit the Commissioner, Tirupathi Municipal Corporation, to sanction minimum time scale i.e. (Basic+ DA) without any other benefits to Sri C.Mohan, NMR / Badili Worker, working in Tirupathi Municipal Corporation with effect from 01-06-2009 as per the Interim Orders

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of the Hon'ble High Court of Andhra Pradesh in W.P.M.P.No.14250/2009, in W.P.No.6299/2004, subject to the result of the W.P.No.6299/2004 and that the extension of minimum time scale shall not confer any right for regularization of his services.

3. The Commissioner & Director of Municipal Administration /Commissioner, Tirupathi Municipal Corporation, shall take further necessary action, accordingly.

4. This order issues with the concurrence of Finance (PC-III) Department - vide their U.O.No.23489-B/333/A1/PC.III/2012, Dated:28.08.2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.SAM BOB
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)

To

The Commissioner & Director of Municipal Administration, Hyderabad.

The Commissioner, Tirupathi Municipal Corporation, Tiurupathi.

Copy to:

The Advocate General, A.P.High Court, Hyderabad.

The Finance (PC.III) Department.

P.S. to Secy. to the Hon'ble Chief Minister.

O.S.D. to the Hon'ble M(MA)

SF/SC

// FORWARDED : : BY ORDER //

SECTION OFFICER